

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 43

91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LUETKENHAUS AND OSTMANN (Co-sponsors).

Read 1<sup>st</sup> time January 29, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3959L.011

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing sections 39(d) and 39(e) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the legislative department.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 39(d) and 39(e), article III, Constitution of Missouri, are repealed and two new sections adopted in lieu thereof, to be known as sections 39(d) and 39(e), to read as follows:

Section 39(d). All state revenues derived from the conduct of all gaming activities, **except as provided in section 39(e) of this article**, as are now or hereafter authorized by this constitution or by law, unless otherwise provided by law on the effective date of this section, shall be appropriated beginning July 1, 1993, solely for the public institutions of elementary, secondary and higher education and shall not be included within the definition of "total state revenues" in section 17 of article X of this constitution.

Section 39(e). [Riverboat gambling authorized on Missouri and Mississippi rivers.--] **1.**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

2 The general assembly is authorized to permit upon the Mississippi and Missouri Rivers only,  
3 which shall include artificial spaces that contain water and that are within 1000 feet of the closest  
4 edge of the main channel of either of those rivers, lotteries, gift enterprises and games of chance  
5 to be conducted on excursion gambling boats and floating facilities. Any license issued before  
6 or after the adoption date of this amendment for any excursion gambling boat or floating facility  
7 located in any such artificial space shall be deemed to be authorized by the General Assembly  
8 and to be in compliance with this Section.

9 **2. The general assembly is authorized to impose an admission fee, as established by**  
10 **law, for persons embarking on an excursion gambling boat to fund public transit projects.**  
11 **Notwithstanding section 39(d) of this article, such fees shall be credited to a subaccount of**  
12 **the "Public Transit Fund", which is hereby created in the state treasury for use in**  
13 **constructing, maintaining, repairing, and renovating public transit projects and facilities**  
14 **as provided by law.**